



Town of Berwyn Heights

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Minutes Worksession May 21, 2018

The meeting was called to order at 7:05 p.m. Present were Mayor Christopher Rasmussen Mayor Pro-Tem (MPT) Lynn White, Councilmembers (CMs) Stephen Isler, Jason Papanikolas and Ethan Sweep. Also present were Interim Town Administrator (TA) Mike McLaughlin, Public Works Director Kenneth Hall and citizens. Clerk Kerstin Harper had an excused absence.

1. Action Items

June Council meetings dates: The Council set the dates for its June meetings as follows:

1st worksession - Tuesday, June 5, 7:00 p.m.

2nd worksession - Monday, June 18, 6:00 p.m. (starting with Town Attorney briefing on Council sitting as appeals board)

Town meeting - Wednesday, June 20, 5:00 p.m. (starting with an executive session to review candidate list for new Town manager)

2. Discussion Items

Orientation and Organization of the Council: As part of an orientation of the new Council, Councilmembers read and discussed

1. selected Council Rules setting forth the functions of the Town departments and defining responsibilities of councilmembers;
2. Town Charter defining the Town's boundaries, system of government and authorities of the Council;
3. Ordinance 121 - Powers & Duties describing the roles of the Council, Councilmembers and Town Administrator/ Manager; and
4. International City Managers Association (ICMA) brochure describing a municipal Council-Manager Form of Government.

Interim TA McLaughlin provided additional context on the Council-Manager form of government. He noted that it is today the most common and successful type of municipal government in the USA. It developed in response to once widespread corruption in local government and is better suited than other forms of government to deal with the complex environment and professional requirements in which municipal governments now operate.

Mayor Rasmussen commented that Berwyn Heights implemented a Council-Manager form of government in 2014 with the adoption of Ordinance 121. The recent revisions to Ordinance 121 and proposed amendments to the Town Charter do not change this structure, only the terminology by referring to a Town Manager instead of a Town Administrator.

Mayor Rasmussen said it is not realistic to expect councilmembers to run the departments as commissioners once did. The delivery of local government services has become more complex and requires professional expertise, which councilmembers generally do not possess. Consequently, all senior staff today reports to a Town Administrator/ Manager, who is charged with supervising the daily operations of the departments. The person appointed to this position, could have a number of different titles, but for purposes of recruiting him or her, the previous Council agreed upon Town Manager.

In discussion, the following issues were raised:

- What form of government prevails in small municipalities, such as Berwyn Heights;
- How did Berwyn Heights' Town government evolve from Commissioner to Council Manager style;
- How do the Charter and Ordinance 121 relate in establishing a Council-Manager form of government;
- What consequences would result if the Charter Amendment is not adopted;
- How do the Town departments view the form of government and relationship with management;
- Residents need better information about the role of the Town Manager to clear up confusion;
- Some residents expressed concern that the Town Manager is too powerful;
- This Council should define the personal qualities it values when choosing the next Town Manager;
- Designated residents could participate in the selection of the Town Manager via a citizen panel;

Tree Maintenance Vendor Proposals: TA McLaughlin said in 2016 the Town hired an urban forest consultant to perform an inventory of the Town's tree canopy. Based on the inventory a maintenance plan was developed which was put out to bid to local tree contractors. Public Works Director Hall said he received two proposals from SaveATree for \$43,000 and Manuel Tree Service \$80,000. The work could be done over two years, with one half of the work funded in FY 2018 and another in FY 2019. Maintenance includes the removal of high and moderate risk trees, stump grinding of removed trees, and removal of dead, dying and diseased limbs. In addition, SaveATree proposes continued annual maintenance starting in 2020 at \$13,000 a year.

Mayor Rasmussen said the workload comprises many dozens of trees and reflects a long period of minimal tree maintenance by the Town. Some of the high-risk trees have already been removed. He asked to postpone a vote on selecting a vendor to give residents the opportunity to give input during the citizen comments portion of a worksession.

TA McLaughlin said he and Town Attorney Ferguson recommend approving the contract at a Town meeting. In his experience, formal Council actions are taken at formal public meetings. However, the Town Charter only states that ordinances and resolutions must be approved at Town meetings but it is silent on other Council actions. Mayor Rasmussen said he is concerned about a long list of Council actions stacking up at Town meetings, which heretofore have taken place at worksessions. The approval of Council actions at worksessions goes back a long time and, to his knowledge, has not been flagged by previous Town attorneys. CM Isler, Papanikolas and Sweep expressed their preference to vote on the matter at a Town meeting. No action was taken.

Refuse and Recycling Routes: Director Hall explained currently refuse collection is divided into 2 days: all houses north of Pontiac Street are picked up on Mondays, and all houses south of Pontiac Street picked up on Tuesdays. The north-side route comprises 612 homes and the south-side route 476 homes. He proposed to equalize the pickups by moving all of Pontiac Street, 57th Avenue between Pontiac Street and Berwyn Road, and Berwyn Road between 57th Avenue and the Metro tracks to the Tuesday pickup. The 2nd pick-up that currently occurs on Thursday could be moved to Friday to address concerns from south-side residents that Thursday pickup is too close to the Tuesday pickup for meaningful amounts of trash to

accumulate. From the Public Works Director's perspective, a day to perform tasks not related to refuse pick-up could just as well be a Thursday instead of a Friday.

In discussion, the following points were made:

Residents who have the 1st refuse collection on Tuesday would prefer having the 2nd collection on Friday. The decision to move the 2nd collection to Friday would require a Town-wide educational campaign that informs all residents of the change. If the Council plans to implement once-a-week refuse collection, as was proposed by Director Hall at the March 23 budget worksession, the Council should hold off on rearranging the schedule. Instead, it should work on communicating with residents about implementing once-a-week refuse collection. Once-a-week refuse collection would require purchasing new, larger refuse and recycling bins (with wheels and lids) that could be emptied with an automatic lift. The upfront cost would be approximately \$100,000. No decision was made on equalizing north and south side pickup, or rearranging the collection schedule.

At 9:54 p.m., the Council took a 5-minute break. Director Hall left the meeting.

Strategic Plan Review: Mayor Rasmussen explained that the 47th Council in November 2016 adopted a strategic plan that set forth its long-term policy goals and priorities. A Vision and Mission Statement for the Town of Berwyn Heights that was developed at the same time underpins the strategic plan. Many parts of the strategic plan have been completed and some are in progress.

TA McLaughlin highlighted those goals of strategic plan yet to be completed. Under the strategic issue of Infrastructure Improvements, he is working on an RFP for an architectural and engineering study to upgrade Town offices and create space for a police station. Any stop gap security improvements at Town offices would probably become part of a Town office renovation project. The goal of bringing the roads up to standard is largely complete. A bond issue to fund Phase II of road repairs has been authorized but awaits the issuance of bonds.

The strategic issue of improving communication with residents is ongoing. MPT White has expressed interest in working on this. The strategic issue of Town Aesthetics is moving forward with the Council selecting a contractor for performing tree maintenance outlined in a tree canopy plan, and Public Works planning to work on landscaping projects and installing new welcome signs.

The strategic issue of economic development in the commercial and industrial areas of the is being addressed with the convening of an Urban Land Institute Technical Assistance Panel (ULI TAP) on June 4 and 5. Further economic development initiatives will be predicated on Panel's recommendations. Funding for an economic development consultant has been carried forward into the FY 2019 budget

48th Council Priorities: Mayor Rasmussen said this Council inherits a set of priorities derived from the 2016 strategic plan. To develop a set of priorities for the 48th Council, he asked Councilmembers to share their views about what should be addressed during this term. The following priorities were identified:

- Improve communications with residents, possibly to include more frequent e-newsletters, an electronic sign or banner, e-mail lists, welcome packet, resident round table.
- Continue and expand beautification efforts, especially litter pickup.
- Reform refuse and recycling collection process to make it work for all.
- Better support for all local schools with the help of the Education Advisory Committee (EAC). The mission of the EAC needs to be reviewed and could be expanded to encompass other youth activities.
- Address storm water runoff problems and swampy back yards.

- Better information about department functions, code and permit issues. Review Sports Park permitting process.
- Explore establishing a dog park;
- Improve street safety by addressing speeding, parking issues, ignoring stop signs, commercial vehicles and pedestrian safety;
- Relationship with M-NCPPC and management of M-NCPPC facilities in Town.
- Complete Town organization policy. NW/EP should have authorizing resolution. Clarify insurance requirement for organizations.

Citizen Commission on Quality of Life: Mayor Rasmussen said he would like to establish a Commission comprised of approximately a dozen residents who would identify a broad range of issues affecting the quality of life in Berwyn Heights. Over a period of 3 to 4 meetings, the Commission would identify issues of concern and develop a set of recommendations for improvements that would be summarized in a final report. The results would serve as the basis for an action plan for a new Town Manager.

The Council agreed to move forward with the Commission. This will be advertised in the June Bulletin and on the website with the expectation that residents will volunteer to serve. Alternatively, Councilmembers can propose potential members. The Commission will be formally established by resolution at the June 20 Town meeting.

Urban Land Institute Technical Assistance Panel (ULI TAP): TA McLaughlin explained that the technical assistance panel was commissioned jointly by Berwyn Heights, College Park and Greenbelt under the previous Council to develop recommendations for improving the Route 193 corridor. The panel of architects and planning experts will convene on June 4 and 5, tour the area and speak with stakeholders to come up with ideas about how to make the corridor more pedestrian and bike friendly and attract new businesses and transform the area into a welcoming destination. Findings will be presented in the afternoon of June 5. Berwyn Heights councilmembers are welcome to participate.

3. Minutes

The May 9 Town meeting minutes were distributed for approval at the June Town meeting.

4. Department Reports/ Announcements/ Citizen Comments

MPT White thanked the Education Advisory Committee (EAC) and chair Katie Curtis for organizing a Town Hall on Parkdale High School, and parents and officials for attending. Delegate Gaines and Healey, Marty McGown from Del. Washington's office, Parkdale PTA President Dixon, Mayor Rasmussen, MPT White and CM Isler were present. Important issues were raised and a desire to work together to improve the school were expressed.

CM Isler thanked all the residents, organizations and staff with whom he has talked over the last weeks, giving advice and sharing concerns. CM Papanikolas said he is getting up to speed on the Code Department and being a Councilmember.

Mayor Rasmussen reported he took part in a Town cleanup organized by the Green Team, and attended an English Tea event hosted by the Seniors. The area received a lot of rain over the last week and many residents reported flooding in basements and yards. The police monitored the creek to ensure that roads were passable and homes safe.

Review of Treasurer's Report: TA McLaughlin explained the financial reports Councilmembers will receive on a monthly basis. The statement of receipts and expenses shows whether the departments and

the Town as a whole are on track with the budget. At this time, the Town appears to be in good shape. If the Council is interested, a memo can be added to the statement highlighting any unusual expenses or receipts.

Mayor Rasmussen said that the Council also receives a monthly report that gives an overview of each department accomplishments. He will ask the Council to review these reports to determine whether relevant metrics are used.

5. Town Council Schedule

The next worksessions were set for June 5 and 18, and the Town meeting for June 20. The Town meeting will be preceded by an executive session to review a list of applicants for the new Town Administrator. Adoption of the Charter Amendment on the Town Manager position was postponed to the July Town meeting.

The meeting was adjourned at 10:55 p.m.

Signed: *Kerstin Harper*, Town Clerk